



Docket: 1238DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James F. McGuckin, et al

Serial No: 10/706,685 Filed: November 12, 2003

Examiner: Schillinger, Ann M. Group Art Unit: 3774

For: **VASCULAR DEVICE WITH VALVE FOR APPROXIMATING VESSEL WALL**

Commissioner For Patents
P. O. Box 1450
Alexandria, V.A. 22313-1450

S U P E E M E N T A L I N F O R M A T I O N D I S C L O S U R E S T A T E M E N T

In accordance with Applicant's duty of disclosure under 37 C.F.R §1.56, Applicants submit the cited reference(s) for the Examiner's consideration.

It is respectfully requested that the reference(s) listed on Form PTO-1449 be considered during Examination of the above-identified application and made of record therein. Pursuant to 37 C.F.R. §1.98(a), a copy of the cited reference(s) other than U.S. patents and U.S. patent application publications is/are enclosed. This submission is believed to be in compliance with 37 C.F.R. §1.97 and 37 C.F.R. §1.98.

The citation of the listed item(s) is not a representation that it constitutes a complete or exhaustive listing of prior art or that it constitutes prior art. The item(s) listed is/are submitted in good faith, but is/are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner, it will assist the Examiner in identifying fields of search and in making as full and complete a search as possible.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

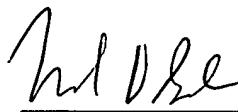
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- This information disclosure statement is being filed within three (3) months of the filing date of this application.
- This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application.
- To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action in connection with this case.
- Enclosed is a certificate under 37 C.F.R. § 1.97 (e)(i).
- Enclosed is a petition under 37 C.F.R. § 1.97 (d).
- Please charge the petition fee of \$130.00 required under 37 C.F.R. § 1.17 (i)(1) to Deposit Account No. 501567
- As set forth in 37 C.F.R. § 1.97 (c), to the best of Applicant(s) knowledge, this information disclosure statement is being filed before either the mailing of a final action under 37 C.F.R. § 1.113 or the mailing of a notice of allowance under 37 C.F.R. § 1.113, and is accompanied by the \$180.00 fee as provided for in 37 C.F.R. § 1.17(p).
- Please charge the \$180.00 fee required by 37 C.F.R. § 1.17(p) to Deposit Account No. 501567.
- Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 37 C.F.R. § 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 501567. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend time as required and charge Deposit Account No. 501567 therefor. **TWO COPIES OF THIS SHEET ARE ENCLOSED.**

Early and favorable consideration of the case is respectfully requested.

Dated: 11/11/09


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